

REQUEST FOR COUNCIL ACTION

85
MEETING

DATE: 1-22-03

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| AGENDA SECTION: PUBLIC HEARINGS | ORIGINATING DEPT: PLANNING | ITEM NO. E-1 |
| ITEM DESCRIPTION: Variance #02-40 by the Kendall Group. The applicant is requesting a variance to the requirements of Chapter 64 of the Rochester Zoning Ordinance and Land Development Manual on access spacing standards in Section 64.143. The property is located east of North Broadway and South of Rocky Creek Drive NE and north and west of 26 th Street NE. | | PREPARED BY: Brent Svenby, Planner |
| <p>January 14, 2003</p> <p>The City Clerk received a letter asking that the Council defer a decision on Variance #02-40 until the February 3rd meeting because some neighboring property owners would not be able to attend the Council meeting on the 22nd. The applicant's consultant has stated that the developer does not have a problem with the item being deferred to the February 3rd meeting.</p> | | |
| <u>Council Action Needed:</u> | | |
| 1. The Council should open the public hearing and continue it to the February 3 rd meeting. | | |
| <u>Attachments:</u> | | |
| 1. Memorandum from the City Clerks' Office | | |
| <u>Distribution:</u> | | |
| City Administrator | | |
| City Attorney | | |
| 3. Planning Department File | | |
| 4. Planning Department GIS Division | | |
| 5. Applicant: This item will be considered some time after 7:00 p.m. on <u>Wednesday</u> , January 22, 2003 in the Council/Board Chambers in the Government Center at 151 4th Street SE. | | |
| 6. Yaggy Colby Associates | | |
| <div style="border: 1px solid black; padding: 10px; width: fit-content;"><p>Note: The following page was also numbered page 85.</p></div> | | |
| COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____ | | |



ROCHESTER

Minnesota



Note -the previous
page was also
numbered page 85

MEMORANDUM City Clerk's Office

JUDY SCHERR, CMC
City Clerk
201 4th Street SE, Room 135
Rochester, MN 55904-3742
(507) 285-8086
FAX #(507) 285-8256

Date: January 10, 2003
To: Mayor and Common Council
From: Judy Scherr, City Clerk
Subject: Defer of Kendal Group variance request to meeting on February 3

A letter was received from Dr. Ray Kim and Robert Gill asking that the council defer discussion on Variance #02-40 by the Kendal Group to the February 3, 2003, meeting. The item, previously on the January 6th meeting, was continued to the January 22, 2003, meeting.

The matter was discussed with the Planning Department, who did not have a problem with the postponement. Wade DuMond, Yaggy-Colby, notified the developer who also did not have a problem with deferment to the February 3rd meeting.

Unless the Council has questions, the matter will be placed on the agenda on January 22nd to be deferred to the February 3rd meeting.

If you have any questions, please do not hesitate to contact me.

Enclosure

January 10, 2003

Common Council,
City of Rochester, MN

Re: Agenda item currently on 1/20 meeting (Variance #02-40)

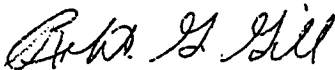
We are writing to request above referenced item to be deferred to the next Council meeting on 2/3/03.

The basis for this request is that key neighborhood leaders will not be able to participate in the meeting due to conflicts with prior commitments and, more importantly, we would like to be given a reasonable amount of time to review and form opinions about the information that is forthcoming from the applicant, including the amount of variance and density in the development. We feel that this is the last chance for us to express our concerns on this important matter in a hearing format and that we should be given a sufficient amount of time to get prepared.

We also believe that because of the season, along with the fact that the General Development Plan has already been approved, a delay of two weeks in the decision regarding the Variance will not pose a significant detriment to the applicant.

Thank you for your consideration.

Respectfully submitted on behalf of neighbors of 26th street ,



Robert Gill



Ray Kim

46